

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

THE TRUSTEES OF PURDUE UNIVERSITY,

Plaintiff,

vs.

STMICROELECTRONICS N.V., ET AL.,

Defendant.

No. 6:21-CV-727-ADA

JURY TRIAL DEMANDED

CORRECTION AND SUPPLEMENT TO PLAINTIFF’S NOTICE OF IPR (ECF No. 75)

Defendant STMicroelectronics, Inc. (“ST Inc.”) files this correction and supplement to Plaintiff’s latest Notice of the Filing of a Petition for Inter Partes Review (ECF No. 75) to clarify information regarding the three IPRs identified in that Notice, as well as summarize all of the IPRs filed to date against U.S. Patent Nos. 7,498,633 and U.S. Patent No. 8,035,112.

First, Plaintiff’s latest Notice departs from Plaintiff’s established approach to calculating the estimated dates for the PTAB’s decision on institution and final written decision. All of Plaintiff’s earlier Notices of IPR used the Petition’s actual filing date for its calculation. *See* ECF No. 54 at 1 (using the actual filing date of December 6, 2021); ECF No. 56 at 1 (using the actual filing date of December 6, 2021); ECF No. 57 at 1 (using the actual filing date of December 17, 2021). While Plaintiff’s latest Notice acknowledges that three of ST Inc.’s and Wolfspeed, Inc.’s most recent IPR Petitions¹ were all filed on March 25, 2022, Plaintiff nonetheless uses *April* 25, 2022, to estimate the institution and final written decision dates for those IPRs. This is wholly inconsistent

¹ Filed in proceedings numbered IPR2022-00723, IPR2022-00724, and IPR2022-00761.

with Plaintiff's earlier approach. Below is a summary of the IPRs filed thus far, with estimated institution and final written decision dates calculated using Plaintiff's original approach:

IPR No.	Challenged Patent & Claims	Petitioner	Filing Date	Decision on Institution (Estimated)	Final Written Decision (Estimated)
2022-00252	'633 Patent, claims 9–11	ST Inc.	Dec. 6, 2021	June 6, 2022	June 6, 2023
2022-00309	'112 Patent, claims 1, 6–7 & 10–12	ST Inc.	Dec. 17, 2021	June 17, 2022	June 17, 2023
2022-00723	'633 Patent, claims 1–8 & 12–15	ST Inc.	Mar. 25, 2022	Sept. 25, 2022	Sept. 25, 2023
2022-00724	'112 Patent, claims 2–5, 8–9 & 13–16	ST Inc.	Mar. 25, 2022	Sept. 25, 2022	Sept. 25, 2023
2022-00761	'633 Patent, claims 9–11	Wolfspeed, Inc.	Mar. 25, 2022	Sept. 25, 2022	Sept. 25, 2023
2022-00854	'112 Patent, claims 1–3, 6–7 & 10–16	Wolfspeed, Inc.	April 12, 2022	Oct. 12, 2022	Oct. 12, 2023

Second, Plaintiff's latest Notice fails to mention that ST Inc.'s most recent IPRs challenge only claims from the '633 and '112 patents that are **not** asserted in this litigation. Specifically, as to the '633 Patent, Plaintiff has asserted only claim 9 in this litigation, but ST Inc.'s Petition in IPR022-00723 is challenging unasserted claims 1–8 and 12–15. As to the '112 Patent, Plaintiff has asserted only claims 1, 6–7, and 10–12 in this litigation, but ST Inc.'s Petition in IPR2022-00724 is challenging unasserted claims 2–5, 8–9, and 13–16.

Third, Plaintiff's Notice misleadingly asserts that ST Inc.'s Petitions "identify Defendants' STMicroelectronics N.V. and STMicroelectronics International N.V. as real parties in interest." *See* ECF No. 75 at 1. To the contrary, ST Inc.'s Petitions expressly assert that STMicroelectronics N.V. and STMicroelectronics International N.V. "are **not** real parties-in-interest under the governing legal standard for making that determination" but that ST nevertheless identifies them "to avoid any disputes over that issue." ECF No. 75-1 at 1; ECF No. 75-2 at 1 (emphasis added).

Dated: April 12, 2022

Respectfully submitted:

By: /s/ Justin S. Cohen

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STMICROELECTRONICS N.V.

CERTIFICATE OF SERVICE

I certify that on April 12, 2022, the foregoing document was served via electronic mail on counsel of record for Plaintiff.

/s/ Justin S. Cohen

Justin S. Cohen